

approximately 150 to 200 miles. In mid-1995 he began experiencing numbness in his hands while driving. He testified that the numbness in his right hand would begin after approximately 30 minutes of driving. He would then shift to use his left hand while driving. He eventually developed numbness in his left hand.

Claimant was examined and treated by Dr. Luna. Dr. Luna recommended a nerve conduction study. At the respondent's request, claimant was then seen by Dr. Trotter. Dr. Trotter also recommended a nerve conduction study. Dr. Rastogi performed the nerve conduction study and diagnosed bilateral carpal tunnel. The recommended surgery was canceled when respondent denied compensability of this claim.

The record contains only one medical opinion regarding causation of claimant's bilateral carpal tunnel. Dr. Luna states:

"I am also confident that symptoms and diagnosis are related to patient's occupation."

He also states in his records that he definitely feels this should be covered under workers compensation. The Administrative Law Judge disagreed with the opinion of Dr. Luna. The Administrative Law Judge concluded driving would not likely have been a cause of carpal tunnel syndrome.

The issue raised on appeal requires the Board to determine whether the evidence establishes more probably than not that claimant's work activities caused or aggravated claimant's bilateral carpal tunnel. The Appeals Board concludes from the record as a whole that claimant has established a compensable claim. The medical history clearly associates the symptoms with driving. Claimant's testimony associates the symptoms with his driving and the only medical opinion relates the condition to his driving.

The evidence does show that claimant engaged in other work, including operation of a car lot and detail work on automobiles, which involved working with his hands. Claimant did not recall whether he had mentioned this work to the physician. Medical records do not mention this work. Respondent argues the opinion of Dr. Luna should, therefore, be given no weight. From claimant's description of the onset of symptoms it appears likely the work at the car lot is not found in the medical records because claimant did not associate that work with his symptoms. The symptoms occurred while driving. The treating physician considered the driving a competent cause of the condition. We conclude driving caused or aggravated the carpal tunnel condition.

The claim should be treated as compensable for preliminary hearing purposes and is, therefore, remanded for designation of an appropriate treating physician and for a decision regarding what, if any, temporary total disability benefits should be paid.

WHEREFORE, the Appeals Board finds that the Order of Administrative Law Judge Jon L. Frobish dated June 26, 1996, should be, and the same is hereby, reversed. The case is remanded to the Administrative Law Judge to designate an appropriate treating physician paid for at respondent's expense and for a determination regarding dates of temporary total disability.

IT IS SO ORDERED.

Dated this ____ day of August, 1996.

BOARD MEMBER

c: J. Darin Hayes, Great Bend, KS
James M. McVay, Great Bend, KS
Administrative Law Judge, Garden City, KS
Philip S. Harness, Director